

7/2/2008

**Memorandum of Understanding:
Collaboration in Delaware
Department of Services for Children, Youth and Their Families
and
Family Court**

The Department of Services for Children, Youth and Their Families (the agency) and the Family Court of Delaware (the court) mutually develop this agreement as a framework for ongoing and meaningful collaboration on child welfare related activities that will support safety, permanency and well-being of children.

The Court Improvement Project Coordinator and the State Child Welfare Director will meet at least semi-annually to discuss mutual issues and activities.

We will share available data on a regular basis, including the status of our efforts to a) improve children's safety, permanency and well-being and b) to meet state and federal requirements.

We will maintain an ongoing committee, comprised of the Director of Family Services, or designee, a representative of the Chief Judge of Family Court, the Child and Family Services Review Coordinator and the Court Improvement Program Coordinator, involving members of the Family Court judiciary and appointing workgroups as appropriate to advance collaboration and implementation of system improvements.

We will work to align our collaboration on various initiatives that are intended to improve child safety, permanency and well-being, including:

- Child and Family Services Plan (CFSP) and Annual Progress and Service Reports (APSR)
- The Child and Family Services Review (CFSR), and the development and implementation of the Program Improvement Plan (PIP)
- Court Improvement Project (CIP)
- Title IV E Reviews

The Department Cabinet Secretary and Chief Judge of the Family Court will be provided updates on the progress of our joint/mutual activities, meeting at least semi-annually with the Director of Family Services and the Court Improvement Project Coordinator. The Chief Judge will provide updates to the Chief Justice of the Supreme Court and members of the Delaware Judiciary at least semi-annually.

Child and Family Services Review

1. Meetings and Consultation.

The agency and the court agree to:

- Meet as needed before and after the Statewide Assessment.
- Meet quarterly to discuss the CFSR and PIP.
- Consult and meet as necessary during all stages of the CFSR, including the PIP.
- Form subcommittees and workgroups as appropriate to perform more specified tasks.

The following will participate in such meetings and consultations:

- State child welfare director, or designee
- CFSR coordinator
- Statewide CIP Liaison Judge from the Family Court
- Director of Special Court Services or designee
- CIP coordinator
- Others, including members of the Family Court judiciary, as designated by the agency or court.

2. Advance Planning

The agency will:

- Contact the judicial branch well before the assessment begins.
- Describe the CFSR process to Family Court judiciary and explain its importance.
- Provide the judicial branch brief written materials that describe the CFSR process and explain how judges are involved.
- Make available the CFSR materials developed by the federal government
- Respond to questions regarding the status of the CFSR, PIP, and PIP implementation.
- Advise the court of any relevant federal decisions or updates.
- Share and explain available state statistics to court representatives.

3. Statewide Assessment

The court will select judges and judicial staff, as well as recommend attorneys and others, to work with the agency in preparing sections of the Statewide Assessment that call for judicial involvement or have judicial implications.

The agency and court will identify those sections of the statewide assessment that the judicial branch can help prepare or review, develop a process to work together on those sections, and follow through on the agreed upon process.

The agency and the court will share data relevant to the statewide assessment.

The court will work with the agency to address relevant issues in the statewide assessment for each of the sections on which they are working.

4. Onsite Review

The agency will involve the court in identifying sites in each of the three counties for the review.

The agency will inform the Courts-as soon as it learns the timing and location of onsite reviews and other site visits in connection with the CFSR and PIP.

The agency will provide explanatory materials to the CIP coordinator regarding CFSR including:

- A brief written summary of the CFSR process, including information about the onsite review process.
- A copy of the completed statewide assessment.
- Instruments that will be relevant to the judiciary and attorneys involved in the CFSR.

The CIP Coordinator will:

- identify key judicial stakeholders to be interviewed,
- confirm logistics,
- send copies of interview instruments to judges in a timely manner for their review before interview,
- assist with individual case reviews and identify others for the review teams to:
 - add different perspectives and insights on onsite review
 - help accurately identify legal and judicial barriers
 - help identify issues and strategies for the PIP.

5. Program Improvement Plan

The agency will invite the court to participate in the development of the PIP to:

- Help achieve substantial conformity on outcomes that require legal system improvements by identifying mutually beneficial strategies.
- Help improve systemic factors affected by the court.

The court will provide representatives to serve on relevant task forces and meet regularly with a specific legal-judicial PIP task force, and will identify legal representatives to do the same.

The agency and court will discuss technical assistance needs to improve state performance on the full range of outcomes and systemic factors.

The agency and court will integrate the CIP strategic plan with the PIP.

6. Implementation of PIP and strategic plans

The agency will provide the CIP coordinator with copies of its quarterly reports to the federal government.

The agency and court will maintain ongoing committees and task forces to address PIP issues a) until the federal government determines the state has successfully completed the requirements of its PIP, and b) as needed to sustain and continue monitoring progress.

The agency and the court will share data regarding children's safety, permanency and well – being.

The agency will provide localized data to juvenile judges, to the extent feasible, regarding safety and well-being of children within local courts' jurisdiction.

The agency will consult the court regarding any proposed revisions to the PIP that have implications for judicial involvement performance.

The court will consult the agency regarding any proposed revisions to the CIP strategic plan that have implications for agency involvement or performance.

Court Improvement Project (CIP)

The Court Improvement Project is progressing through:

- Statewide meetings of Judges, to address internal opportunities, to occur, at a minimum, quarterly;
- Quarterly collaborative meetings in each county to address challenges for the partners at a local level. These collaborative meetings are comprised, at a minimum, of
 - Judges involved in dependency and neglect cases,
 - local representatives of the child welfare agency,
 - attorneys and advocates for both the child and the parents, as well as attorneys for the agency(These local collaborative meetings will also include, but not be limited to, representatives of child mental health providers, youth rehabilitation services and the education community);
- Participation in quarterly meetings of the Child Protection Accountability Commission (a legislated body mandated to oversee the child protection system and comprised of, among others, policy makers from the Court, the Child Welfare agency, the Justice Department, legislators, advocates, providers and educators) as well as participation in its subcommittees and work groups, to address statewide concerns beyond the jurisdiction of the Court.

Title IV-E Plans and Reviews

The agency has invited the court to its Title IV-E Program Improvement Plan development meetings. The CIP coordinator will be involved in the implementation and coordinate court input and response, including working with the Title IV- E Review coordinator to complete the plan.

The agency will continue to provide information to the court in a timely manner regarding these plans, reviews and PIP.

The court will continue to provide participants, data and information to assist with the development and implementation to the plans related to court system improvements.

Child and Family Services Plan

As the IV-B and IV-E state agency, the Department of Services for Children, Youth and Their Families has the responsibility for submitting a five year plan for child welfare per federal requirements. The CFSP identifies goals, measurements, strategies and activities to improve child welfare services. Annual reports on accomplishments and progress are required.

The agency will coordinate the plan and invite Family Court to participate in the development and review of goals and activities to improve child welfare services.

Family Court will provide representatives to assist the agency in developing the state's plan and reporting annual progress.

Agency and Court Points of Contact

Agency

CFSR Coordinator
Keith Zirkle
1825 Faulkland Road
Wilmington DE 19805
633-2709

IV-E Review Coordinator
Frank Perfinski
1825 Faulkland Road
Wilmington DE 19805
633-2655

Court

CIP Coordinator
Trish Hearn
500 N. King Street Suite
Suite 3500
Wilmington DE 19801-3757
255-2605

We welcome these opportunities to work together on system improvements that will contribute to the enhanced safety, permanency and well being of abused and neglected children in the State of Delaware.

Signed:

Henry Smith (date)
Cabinet Secretary
Department of Services for
Children, Youth and Their Families

Chandlee Johnson Kuhn (date)
Chief Judge
Family Court of Delaware

Carlyse Giddins (date)
Director
Division of Family Services
Department of Services for
Children, Youth and Their Families

Kenneth M. Millman (date)
Judge and Statewide CIP Liaison
Judge,
Family Court of Delaware